

**DISTRICT ADVISORY BOARD
DISTRICT IV**

November 1, 2000

7:00 p.m.

Stanley/Aley Community School Center, 1749 South Martinson

www.wichitago.org

Members Present

Council Member Bill Gale
June Bailey
Dorman Blake
Iola Crandall
Bonny Johnson-Patrick
Tom Kessler
Edwin Koon
Jerry McGinty
Bea Vickers
Paul Ward
Wayne Wells

Members Absent

Chris Carraher

Guests

Lupe Villar	Off. Bamberger
Rick Feiock	Todd Enders
Norine Schultz	Peggy Liss
Cleo Schultz	Bob Garten
Demetri Enders	Neil Cable
Gary Hefley	David Warren
Pat Daniels	Off. Mellard
Kim Edgington	Kirk Zoellner
Carl Gipson	Matt Jordan
Jay Newton	Steve Lackey
Kevin Kimmez	Ken Holmes

ORDER OF BUSINESS

At 7:02 p.m. **Council Member Bill Gale** called the meeting to order, welcomed guests, and thanked audience members for attending. **Gale** reviewed the DAB concept and its role in the City of Wichita's philosophy of citizen engagement.

Council Member Gale asked for modifications to October 18, 2000 minutes. No modifications were received, **Jerry McGinty (Vickers)** moved to accept the October 18, 2000 minutes as submitted. Motion passed (10-0)

Council Member Gale indicated agenda modification to read "Remove Planning Agenda Item #5" and add Neighborhood Agenda Item #5. **June Bailey (Johnson-Patrick)**. Motion passed (10-0).

PUBLIC AGENDA

At this time the DAB will hear public comments regarding individual citizen comment on issues not on the agenda pertaining to the City of Wichita.

No submissions or requests were received.

NEW BUSINESS

1. 2001 – 2010 Capital Improvement Program

Matt Jordan, Assistant to the City Manager, will highlight Wichita City Council priorities for the program for your review. The program plans to spend more than \$1.6 billion over the next ten years.

Recommended Action: Provide Comment

Council Member Gale introduced, Matt Jordan, Assistant to the City Manager, and identified Kirk Zoellner, Assistant to the Director of Parks; David Warren, Director of Water and Sewer; Steven Lackey, Director of Public Works; and Jay Newton, Senior Budget Analyst.

Matt Jordan reviewed the Capital Improvement Program (CIP) process, the three major steps in the process include CIP Committee, District Advisory Board (citizen engagement), and Wichita City Council review and approval. **Jordan** identified the Mayor Knight and City Manager Chris Cherches desire to include citizens and specifically DABs in the process. **Jordan** stated this year's review is for minor programming adjustments and next year DABs will be asked for "new priorities" and will be included in a more extensive process.

Jordan review current program highlights such as updating the freeway program, water and sewer department master plans, tourism master plan, fire station relocation study, and airport enhancements. Program highlights include a ten-year program of \$1,644,579,000 including \$249,900,000 in general obligation bonds and \$1,414,679,000 in other funding (user fees, grants, revenue bonds, etc.).

Jordan review major category summaries, freeways, arterial/railroads, bridges, core area, parks, public buildings, storm water, transit, water, sewer, and District IV highlights. Freeways include \$315,000,000 and address such projects as Tyler Road, Maize Road, Woodlawn, Rock Road, Webb Road, and Greenwich interchanges. Arterials and railroads consist of \$521,000,000 of which \$173,000,000 is federal and state grant funded. The program addresses issues such as balancing between rebuilding existing corridors and building emerging corridors. \$51,000,000 is funded for bridge rehabilitation, repair, and construction. The core area has \$48,600,000 for downtown investment and tourism initiatives. \$30,400,000 is programmed for parks and recreation funding, highlighting enhancements to Riverside Park. Public buildings will receive \$76,700,000 and includes fire station construction projects, construction of a South Regional Library, and relocating water maintenance to CMF.

Jordan continued to review projects such as \$42,500,000 programmed for storm water management projects, including the Cowskin Creek project. Transit has \$12,000,000 in federal funds to replace aging vehicles. Wichita's public airports are scheduled to receive \$97,000,000 that will include terminal updates at Mid-Continent Airport. The Water Department has \$265,000,000 to implement water supply plan, lay 49 miles of new water pipe, and replace 100,000 linear feet annually over the plan duration. Funding for this department is funded from revenue bonds. The Sewer Department has \$204,000,000 in

revenue bond funding and includes projects such as replacing 130,000 linear feet of sewer line annually, and constructor of a state-of-the art wastewater treatment plant.

Jordan highlighted Council District IV's CIP programs for years 2001 – 2003. District IV has programs improving the areas of Douglas, Seneca Streets to the Arkansas River; Hydraulic and 57th Street South to MacArthur; Seneca and Douglas Streets to McLean; Lincoln Street Bridge at the Arkansas River; and the South Regional Library. **Jordan** opened the matter to questions from DAB members.

Ed Koon inquired on drainage projects for the area of West Street from Maple Street to Central. **Steven Lackey** stated that no dollars have been programmed for such projects in the area, however Mid-Kansas Drainage Consultants, identified areas around Interstate 235 and West Street and West Street parallel to Towne West Square for possible future drainage programs.

June Bailey asked why West Street is not as important as other projects when it is consistently flooded during average rainfalls. **Lackey** responded Public Works has projects along West Street at Douglas and West Streets and Maple and West Streets construction is to begin in 2006 but a storm water project is not part of the programming. **Bailey** inquired on the City's priorities and the need to "bite the bullet and fix the problem". **Lackey** stated that any such programming need would be addressed in the newly created Master Drainage Plan, which **Chris Carrier**, Storm Water Engineer, would be glad to present to the DAB.

Bailey thanked **Jordan** for his work on the project and for presenting the plan to the DAB and commend him on a job well done. **Bailey** asked if spending categories were available on a district basis. **Jordan** appreciated the kind words and stated such a break down is not available due to the complexity of tracking and the inaccuracy of any comparisons, which might be made between districts and projects.

Ed Koon inquired of the waterline replacement criteria, **David Warren** indicated replacement categories are 1) age; 2) condition, which includes reported leaks; 3) criticality of the line, line pressure; and 4) lines in "high value areas", industrial, core area, etc. **Warren** stated a formula is used based on the aforementioned criteria to ascertain lines in need of replacement, a scientifically based prioritization is used and seems to be working.

Jerry McGinty inquired on location of South Seneca storm water projects. **Lackey** stated second and third streets are underway to assist drainage west of Seneca, projects also include the area around second and Sheridan Streets and North of Maple West of West Street.

Dorman Blake asked if a drainage study is underway or has been completed for the South Area. **Lackey** indicated the area of Pawnee and Meridian has been identified.

Johnson-Patrick asked the name of the drainage study completed for the area of West Street. **Lackey** could not remember the exact name but stated the boundaries to the West is I-235, Kellogg to the South, Arkansas River to the East, and Central/ninth Street to the North.

Bailey asked **Lackey** to define the line item “Neighborhood Improvements” in the Arterials Section. **Lackey** stated the line item is catch all, used for such things as paving petitions to areas such as neighborhoods and sub-divisions. Intersections are paid by the city at large in existing neighborhoods, however subdivisions must pay for entire intersections.

Bailey inquired to **Kirk Zoellner** on the composition of line item “Playground Rehabilitation” in the Parks and Recreation CIP for \$280,000. **Zoellner** indicated it is the department’s matching program and the amount is a projection.

Bailey asked about funding for Lawrence Dumont Stadium, **Lackey** stated it is Public Works project that addresses two primary issues, aesthetics, by reconditioning and the immediate area around the field, fence requirements for the Kansas City Royals affiliated Wichita Wranglers, which require increased distance to the fence to incorporate “major league dimensions” for the stadium. The second component addressed is franchise agreement, which is increased to the year 2008 and extends the Royals affiliation to 2004. **Bailey** asked if sports franchise is funding any portion of the CIP, **Lackey** stated the Wrangler’s franchise will pay a small portion of the cost but complete pass through costs are unwarranted as the National Baseball Congress will likely benefit the most and generates substantial tourism dollars for the city.

Bailey inquired on “core area” composition **Lackey** indicated the project coordinates with the River corridor project, specifically around Douglas Street and Exploration Place, the project also includes two pedestrian bridges across the Arkansas and Little Arkansas Rivers. Ultimately the desire is to construct an amphitheater near Exploration Place. **Bailey** asked if the programming is being coordinated with Delano's plan and **Lackey** indicated the matter was only coordinated in generalities, where Delano used city plans and projections.

Bailey stated she wanted to go on record as stating a lack of funding for West Street projects is “unacceptable” and wants the problem fixed. **Lackey** stated he feels empathy for **Bailey** but decisions will need to be made to accommodate such a program change, each citizen pays \$1.27 per month as a storm water fee. \$1.5 million is funded for capital projects and the remaining is for maintenance of the storm water system.

Bailey stated she would like to register an “official” complaint regarding the poor drainage on West Street and would like the city to increase the issue’s priority.

Council Member Bill Gale stated he would like for Chris Carrier to attend and present Master Drainage Study that was recently completed.

McGinty inquired on the \$50,000 funded for newspaper enclosures, **Lackey** responded the enclosures are for the downtown area to centralize and screen newspaper dispensers. **Jay Newton** indicated the funding was not in competition for general funds.

Iola Crandall inquired on the \$450,000 for West Douglas Project. **Lackey** indicated the funds are for year 2008 to develop lighting, picnic areas and updating and renovating for the baseball area at West Douglas Park.

Gale asked if neighborhoods would be consulted for the project and **Zoellner** indicated they would. **Gale** asked if the board or audience had additional questions, none were received. **Bailey** thanked everyone for coming out. **Gale** asked to place Agenda Item #4 next on the agenda. Motion passed 10-0.

PLANNING AGENDA

4. CON2000-049: Conditional Use for a 150' high communication tower in the "LC" Limited Commercial zoning district.

The applicant is seeking a Conditional Use to permit construction of the aforementioned tower. The applicant believes the tower is necessary as part of a wireless phone system of Cricket Communications.

Recommended Action: Provide Comment

Council Member gale introduced **Scott Knebel**, MAPD who reviewed the Staff Report and Recommendation. The site is generally located on the northeast corner of Elizabeth and Gibson Streets and the proposed conditional use is a 150-foot high self-support lattice tower. The case is subject to be heard before the MAPC on Thursday, November 9, 2000. Adjacent zoning and land use is as follows, north, "LC" multi-tenant commercial building; south, "SF-6" Single Family residences; east, "LC" 120-foot high monopole tower; and west, undeveloped residential lot.

Knebel stated staff recommends denial of the conditional use request for the following reasons: 1) failure to conform to wireless communication master plan; 2) the proposed facility does not utilize existing towers available in the area; 3) USD 259 is in the process of making towers available for commercial use; 4) no landscape screen has been accommodated for; and 5) the proposed set-back is in violation of the minimum requirements established by the master plan.

Knebel stated the recommendation is based on the following findings: 1) the zoning, uses, and character of the neighborhood; 2) the suitability of the subject property for the uses to which it has been restricted; 3) the extent to which removal of the restrictions will detrimentally impact nearby property; 4) conformance of the requested change to the adopted or recognized Comprehensive Plan; and 5) the impact of the proposed development on community facilities.

Knebel opened the matter for questions from DAB Members. **Bailey** asked if MAPD or Neighborhood Services Section received telephone calls, **Knebel** and **Silcott** stated no calls were received. **Paul Ward** stated **Bill Williams** contacted him voicing opposition to the towers placement and approval of the conditional use request and inquired of the maintenance responsibilities. **Knebel** indicated such responsibility is up to landlord-tenant lease agreement.

Knebel introduced **Kim Edgington**, Austin Miller Engineering Consultants, Agent for **Richstreet Realty; Brad Murray Rentals; Cricket Communications; and ITSROE.com, Inc.** **Edgington** stated **Brad Murray Rentals** owns twenty towers and if desired she could provide DAB Members with a listing of towers for review.

Edgington stated the applicant would meet any screening recommendations meeting listed requirements proposed by the DAB and indicated concern about USD 259's tower policy as it has been under development for four years and nine months. The proposed site Kelly Elementary School was not on the list for proposed USD 259 tower sites.

Edgington stated that Cellular On Wheels "COW" is not a viable option as such units cost over \$300,000 and does not own such equipment. Cricket Communications is owned by Leap Wireless and provides monthly service of unlimited local calls for \$29.95 per month. Cricket is operating in two mid-size markets and is currently operating in the suburbs of Knoxville Tennessee and Atlanta Georgia. Cricket is co-locating as often as possible but the tower site in question is not capable of expansion because the existing site is at capacity.

Edgington continued the existing tower is owned by a competitor and it is not in their best interest to construct new space, which would allow co-location. **Brad Murray** tries to co-locate as many service providers as possible because it is his only business. **Edgington** indicated that evaluating lattice versus monopole towers and the set back distance can easily be modified. **Edgington** opened the matter for questions.

Ed Koon asked for the average cost of one tower, **Edgington** responded approximately \$200,000 for the structure and each carrier would have \$150-200,000 worth of equipment and antennas.

Dorman Blake inquired if use of a "COW" would alleviate the need of a tower and **Edgington** response was that "COWs" are temporary short-term fixes until towers can be constructed and are not structurally nor technologically designed to be permanent alternative solutions for towers.

Council Member Gale asked for questions from DAB Members, none were received so the matter was opened for discussion from the gallery.

Tom Enders stated he lives on All Hallows Drive and the existing eighty-five foot tower is unbearable from wind noise and metal vibration. Mr. Enders would like to see the tower placed else where use the existing structure.

Edgington stated the tower under consideration would produce less noise because the lattice towers have less mass than the traditional monopole design.

Demetri Enders stated she would like to the applicant use the proposed site at Kelly School. **Edgington** responded the discussions of USD 259 sites have been on going and no substantial progress has been made.

Norine Schultz is concerned if demand increases as the agent indicates digital and cellular services will a tower will need to be place every mile.

George Schultz stated when the previous tower was placed on site no notice was given. **Schultz** is also concerned for liability for structure failure. **Edgington** stated the tower owner carries a \$2 million insurance policy and each carrier is required to carry a \$1 million policy.

Lupe Villar stated she was not notified when the first tower was placed on site three years ago. The property owner/lessee of the existing tower does not maintain the tower grounds. **Villar** is also concerned for safety and set back requirements. **Knebel** stated the set back requirement for the first tower is 125 feet and the set back requirements are define in the Wireless Comprehensive Plan and are based on height. **Edgington** stated the Telecommunications Act of 1996 states health concerns couldn't be used to deny applications because such studies have been found inconclusive. The towers use very low frequency "VLF" which is the safest known frequency.

Norine Schultz asked if anyone present has a tower in the back or side yard, then asked if they would want one...or two.

Greg Feiock's concern is the fact they have one existing tower and don't want a second, understands the applicants position and think he is likely a good person but placing a second tower is not desired by residents because one is bad enough.

Jerry McGinty stated he lives two blocks from the property under consideration and his greatest concern is that all logical alternatives have not been pursued and options have not been exhausted, therefore he opposes the application.

Dorman Blake stated **McGinty's** position is similar to his presents his position on the request. **Ed Koon** stated the Wireless Comprehensive Master Plan was created for situations such as this, which is why he cannot support the request. **Bea Vickers** stated she has driven by site three times and cannot support the request per staff recommendations. **Iola Crandall** stated she would like to know why USD 259 appears to be "dragging their feet" on district tower policy.

Jerry McGinty (Blake) moved to deny request due to the reasons sited in the staff recommendations. Motion passed 9-0.

Knebel stated the case will be heard by the MAPD on Thursday, November 9, 2000.

2. Major Investment Study- Northwest Wichita Traffic Congestion Relief Study

Carl Gipson, Special Projects Engineer, Department of Public Works, will review the issue and address such issues as the programs design goals, project flow, traffic congestion issues with in the study area, and alternative approaches.

Recommended Action: Receive and File

Council Member Bill Gale introduced **Carl Gipson** and thanked him for his patience while other matters were discussed. **Gipson** stated he would address what the study and what is not cover. Currently the plan is in the “conceptual stage”. If the City Council is to proceed then funding and prioritization is needed. Once the project has been scheduled and funding has been provided the next step is the design phase and approximately halfway through this phase any right-of-way needs would be acquired at this time. **Gipson** stated the study assumes the following: 1) projections are for year 2030; and 2) I-235 and Kellogg projects have been completed, Kellogg is complete to one-half mile west of Maize Road.

Gipson reviewed handouts and reviewed the MIS study limits of the study, which is 29th Street North to the north, West Street to the east, Central Street to the south, and is bounded by Ridge Road to the west. The design goal for the project is to attain a “C” or “D” level of service in the year 2030. A “C” rating is the preferred level of service and a “D” rating is considered the minimum level of service. **Gipson** evaluated conditions currently 46 lanes are available from K-96 to Kellogg for passage through barriers. Currently 27 lanes are available west of the floodway. If no bridge is constructed the service level will be below “F”. The Kansas Department of Transportation and the Federal Highway Transportation Agency have vetoed any access from 13th Street with access at I-235.

Gipson stated the study indicates that at least two new crossings are needed to establish the desired level of service. **Gipson** reviewed each considered alternative, the cost, and the number of properties, which require relocation. See synopsis chart below.

Alternative	Cost	Property Relocation
13 th + 21 st + 25 th Streets North	\$79 Million	52
13 th & 21 st Streets North	\$60 Million	52
13 th & 25 th Streets North	\$44 Million	30
21 st & 25 th Streets North	\$54 Million	22
13 th Street North Only	\$25 Million	30
21 st Street North Only	\$35 Million	22
25 th Street North Only	\$20 Million	---
25 th Street & West Dale Drive	\$19 Million	---

Gipson asked for questions from DAB Members.

June Bailey inquired as to why the 29th Street North crossing was a consideration, **Gipson** responded 25th Street North ties into 29th Street and uses the existing 25th Street North access point on I-235. If a crossing were added at 29th, KDOT and the federal government would veto the project immediately. **Bailey** inquired how Kellogg would affect traffic flow. **Gipson** responded the problem is not today's traffic flow but the northwest corridor expansion, which is reflected, in the commercial growth of the area just now catching up with the area's residential growth. The impression is the outer area will go "downtown" but actually it is the downtown going into the new commercial attractions.

Council Member Gale inquired on the arterial attraction of 25th Street North and I-235. **Gipson** stated streets and service levels east of I-235 would need to be improved to handle projected traffic for year 2030. The goal is to relieve capacity of the I-235 and Zoo Boulevard area.

Bailey asked when KDOT plans to fix the Kellogg and I-235 interchange. **Gipson** stated when the interchange was designed it was properly designed however currently the interchange provides an unacceptable level of service. The area is being designed but has no construction program allocations to date.

Council Member Gale asked for more questions from the DAB, none were received. **Ed Koon (Crandall)** motioned to accept the 13th, 21st, and 25th Streets option. Motion passed 8-2.

3. RV and Commercial Vehicle Residential Parking

The Wichita City Council referred the matter to the District Advisory Boards for consideration. The proposed action amends several sections of existing ordinances and creates a new ordinance pertaining to parking.

Recommended Action: Provide Comment

Council Member Bill Gale opened the matter to discussion. **Ed Koon** stated he would like to see any restrictions begin at the one ton level due to the ever-increasing size of standard, non-commercial pick-up trucks. **Iola Crandall** and **June Bailey** both stated that any ordinance would be unenforceable. **Dorman Blake** stated semi-tractor trailer rigs should not be allowed on residential streets. **Kevin Kimmez** stated he would like to see the exclusion of fifth wheel trailers and Recreational Vehicles (RV's).

Ed Koon (Ward) moved to support the status quo, that the policy remains as written due to the issue of enforceability. Motion passed 10-0.

NEIGHBORHOOD AGENDA

November 1, 2000 Minutes
District Advisory Board IV

5. Neighborhood Calendar

***DAB Members and Private Citizens** may announce neighborhood and community happenings and place events on the District IV Calendar.*

Recommended Action: Review and File.

Council Member Bill Gale asked for items for the Neighborhood Calendar, **Paul Ward** reminded everyone of St. Anne's upcoming Health fair.

June Bailey (Johnson-Patrick) moved to adjourn. Motion passed 10-0

Adjournment 9:58 p.m.

Respectfully Submitted,

Brian W. Silcott
Neighborhood Assistant